

Hopewell Planning Board

2716 County Rd. 47 – Canandaigua – NY 14424
585-394-0036 ext. #8 – www.townofhopewell.org
Minutes – April 26, 2021

Present: Chairman Jim Bator, Sylvia Moore, Allan Wesche, Ryan Bruzda, Phil Bassage, Jim Carello, CEO Justin Bruen, Shawn Cotter, Shawn Logue (MRB), Erik Duryea, Jody Devlin, Karl Housel, Matt Goodman

Absent: Nick Sergeant

On-line join.me link – Three individuals were on-line; however, they did not identify themselves.

The Chairman called the meeting to order at 7:00 p.m.

- MRB set up join.me link for those wishing to participate on-line or by phone.

Privilege of the Floor: No one from the public spoke.

General Business: Approval of March 22, 2021

Sylvia Moore moved to approve the March 22, 2021 minutes as presented. Motion seconded and carried.

Public Hearing: Erik Duryea (Always Dry Basement Waterproofing – Duryea Masonry)
4193 Routes 5 & 20 – TM # 99.00-1-18.100 – PZ-2021-011 – Signage Site Plan

The Chairman opened the Public Hearing for Application PZ-2021-011, Erik Duryea. The Secretary read aloud the Public Hearing notice.

No one from the public spoke concerning the application for Erik Duryea.

CEO Bruen stated the provisions within Zoning Ordinance Article III, Section 306 states: "Said signs shall be displayed for a period of not less than 10 days immediately preceding the Public Hearing date." The applicant was out of town and the public notice sign was not placed on the property ten days prior to the Public Hearing, therefore the Public Hearing will continue to the May 24, 2021 Planning Board meeting.

Jim Carello moved to continue public hearing for application PZ-2021-011 of Erik Duryea to the May 24, 2021 Planning Board meeting, seconded and carried.

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**New Business: Erik Duryea/Always Dry Basement Waterproofing – Duryea Masonry)
4193 Routes 5 & 20 – TM # 99.00-1-18.100 – PZ-2021-011 – Signage Site Plan**

CEO Bruen stated Mr. Duryea reached out to him at the time of purchasing the property for his business. The application was sent to County Planning Board (OCPB) for review and comments. OCPB returned the application with no comments.

CEO Bruen affirmed the removal of the non-conforming sign. He added the State highway right-of-way makes it difficult to place any road signage on the property. Therefore, the applicant is seeking to place a 48 sq. ft. business sign on the front of his building which faces Routes 5 & 20. At this time, there has been no negative feedback from the public concerning the proposed signage.

The Board briefly discussed the application.

Mr. Duryea stated he has not yet paid for, or ordered the proposed sign; he is waiting for Planning Board approval first.

The Planning Board discussed the application and informed the applicant that they have no issue with the proposed signage, and are giving preliminary approval for the sign, provided no issues arise from the public prior to the continuation of the Public Hearing scheduled for May 24, 2021.

Allan Wesche moved to continue application PZ-2021-011 for Erik Duryea to the May 24, 2021 Planning Board meeting, seconded and carried.

OCPB – Returned to Hopewell Planning Board with no comments.

75 - 2021	Town of Hopewell Planning Board	Class: 1
Referral Type:	Site Plan	
Applicant & Owner:	Duryea, Erik	
Representative:	Graphics, Ewing	
Tax Map No(s):	99.00-1-18.100	
Brief Description:	Site plan for new 48 SF building mounted sign at 4193 State Route 5 & US 20 in the Town of Hopewell. https://www.co.ontario.ny.us/DocumentCenter/View/28441/75-2021-sign	

Board Motion: To retain referrals 60-2021, 61-2021, 62-2021, 67-2021, 67.1-2021, 68-2021, 69-2021, 69.1-2021, 75-2021, 76-2021, 78-2021, 79-2021, 83-2021, and 85-2021 as class 1s and return them to the local boards with comments
Motion made by: David Wink **Seconded by:** Glen Wilkes
Vote: 16 in favor, 0 opposed, 0 abstentions **Motion carried.**

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Continuation Public Hearing:

**Matt Goodman/Karl Housel – 4017 County Rd. 4 – Site Plan/Special Use Permit – (AG)
Farm Market/AG Business – PZ-2021-008 – TM #72.00-1-29.300**

The Chairman re-opened the Public Hearing for application PZ-2021-008.

The Planning Board secretary received e-mails from Cliff Wagner, Bob Johnston/Michelle Avaro and Deborah Bowman concerning the Housel Site Plan application. (E-mails attached to minutes.) E-mails were handed out to the Planning Board for review.

No one from the public spoke, nor through the join.me link.

Allan Wesche moved to close the Public Hearing for application PZ-2021-008 for Karl Housel/Matt Goodman, seconded and carried.

**Continued Business: Matt Goodman/Karl Housel – 4017 County Rd. 4
Special Use Permit/Site Plan – (AG) Farm Market/AG Business
PZ-2021-008 – TM #72.00-1-29.300**

Karl Housel stated he has spoken with his neighbor Mr. Wagner and is willing to accommodate some of his concerns. Since speaking with Mr. Wagner, Mr. Housel and Mr. Goodman have decided it would be prudent to make more revisions to his Site Plan.

CEO Bruen stated Mr. Housel has agreed to move all displays from the road-side to the south of the proposed farm market building. An existing gravel parking lot will be used, there is an area which allows for over-flow parking, there will be a perimeter around the parking area, pathways for the public will be lit, light generators will be on hand for public safety, port-a-potties will be placed in two to four areas of the property and hand washing stations will be made available.

Mr. Housel affirmed that the displays will no longer be located near County Road 4. He continued adding, the removal of the displays to the south of the property will help ensure pedestrian safety and discourage people from parking on the road-side and observing the displays from their automobiles. Total on-site parking capacity allows up to 150 vehicles, with the overflow parking area. If there are more vehicles than that, people will be turned away and asked to return another time.

Shaun Logue stated the Site Plan and Special Use permit should be consistent with one another concerning both uses of the property. An example he gave was either, Haunted House/Farmer's Market or Halloween Display/Farmer's Market, or something to that effect which shows the uses of the proposed Site Plan.

Jim Carello stated he is concerned of two-way traffic flow through the current driveway, and would like to see one-way traffic. Or possibly widen the driveway to accommodate traffic.

Mr. Housel stated, there is another existing driveway on the property which can be used if necessary. An attendant will keep track of the traffic flow and will allow or dis-allow traffic onto the property and parking areas, he added there is a designated area allowing for over-flow parking.

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Mr. Housel stated the hours of operation will run from 6:00 – 9:00 p.m. It is his intention to have everyone leave the property by 9:30 p.m. and have lights shut down at that time.

CEO Bruen stated he will inspect the property to ensure everything meets code concerning safety, lighting, security cameras etc. He further added, the no parking signs on County Road 4 will take the burden off the property owner, and ticketing will now be possible through local law-enforcement. He further added, there will be less noise with displays being moved to the south of the farm market building. He further added, proper safety fencing around the existing pool will also need to be in place.

Matt Goodman stated the hours of operation will be consistent, in order to keep things as simple as possible. Displays within the farm market building will include items such as: honey, cider, sunflowers and other AG and tourism related items. There may be pumpkin painting events on weekends. Farm stand (wagons) will no longer be located along road-side, they will be re-located near the parking area instead.

Shaun Logue stated the Site Plan shows there is ample room for emergency vehicle access. He did suggest however, to possibly increase 2-3 parking areas for ADA compliance.

The Planning Board continued in discussion concerning Site-Plan revisions.

Jim Carello moved to grant preliminary site plan approval based on the following changes:

1. Description Box on Site Plan to read “Farmers’ Market, Halloween Display”
2. All pathways to be labeled, illuminated, and “roped” off to delineate said pathway
3. All display areas to be located to the south of the proposed Farm Market building
4. Entrance and Exit of proposed corn maze to be delineated on Site Map
5. Bathrooms, “port-a-potty” location to be divided evenly at two different locations:
 - a. By Farm Market Building
 - b. By north end of rear overflow parking
6. Location of farm stand wagon to be illustrated on Site Plan
7. Pool barrier located on existing property code compliant on the Site Plan
8. Material/Debris currently on property shall be listed on site plan as removed, or contained and safe
9. Delineated fire/emergency access area illustrated on Site Plan

Motion seconded by Allan Wesche and carried unanimously.

Adjournment:

Jim Carello moved to adjourn, motion seconded and carried.

Submitted by Shawn L Cotter – May 25, 2021

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Project: Karl House/Matt Goodman
4017 County Rd. 4 – Canandaigua – NY 14424
Application #PZ-2021-008 - Tax Map # 72.00-1-29.300
Preliminary Site Plan Approval

APPLICANT/OWNER NAME (S) Karl House – Matt Goodman (Farmer’s Market/Halloween Display)

SUBJECT PROPERTY ADDRESS: 4017 County Road 4 – Canandaigua – NY 14424

PROJECT: Subdivision Preliminary Site Plan Special Use Permit Area Variance

PUBLIC HEARING: Date Opened March 22, 2021 Date Closed April 26, 2021

PLANNING BOARD APPROVAL: Granted Denied Date April 26, 2021

VOTING: AYE NAY ABSTAINED

APPROVALS/CONDITIONS OR MODIFICATIONS:

1. Description Box on Site Plan to read “Farmers’ Market, Halloween Display”
2. All pathways to be labeled, illuminated, and “roped” off to delineate said pathway
3. All display areas to be located to the south of the proposed Farm Market building
4. Entrance and Exit of proposed corn maze to be delineated on Site Map
5. Bathrooms, “port-a-potty” location to be divided evenly at two different locations:
 - c. By Farm Market Building
 - d. By north end of rear overflow parking
6. Location of farm stand wagon to be illustrated on Site Plan
7. Pool barrier located on existing property code compliant on the Site Plan
8. Material/Debris currently on property shall be listed on site plan as removed, or contained and safe
9. Delineated fire/emergency access area illustrated on Site Plan

CERTIFIED BY: Shawn L. Cotter DATE: April 26, 2021

Final approval requires chairperson signature on the plan. All above conditions and/or modifications must be satisfied prior to signature. For a subdivision, a linen or Mylar with four copies must be signed. The town will retain two copies. The Ontario County Clerk requires the original and two copies for filing. For a sign application, a permit must be obtained prior to erection of the sign.

Copies: Code Enforcement Officer/Applicant/File

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Karl Housel Request

1 message

BandB Builders <bbcalendar1@gmail.com>
To: Shawn Cotter <scotter@townofhopewell.org>

Wed, Mar 24, 2021 at 11:47 AM

Shawn,

Thank you for letting us know that we could submit an e-mail pertaining to Karl Housel's request. I am submitting this e-mail on mine and Bobby's behalf.

Bobby and I are in favor of what Karl is trying to accomplish. We are very much in support of his proposal for a parking area and a seasonal farm stand.

The parking area will certainly address the issue of the parking on the road and it addresses the safety concerns that have been expressed.

As you know, Bobby owns property adjacent to Karl and does not have any objections to his proposal and fully supports it.


I have personally worked with Karl for many years as his direct supervisor and I feel his intentions are for providing an outlet for families to enjoy. He does not profit off of this and actually invests his own money to keep it operating.

Sincerely,

Bobby Johnston and Michelle Alvaro

—

Robert Johnston
B & B Builders
2913 County Road 47
Canandaigua, N.Y. 14424
585-394-3569

Karl Housel vote ?  Inbox x



Deborah Bowman

to me ▾

1:07 PM (1 hour ago)



I know you're voting tonight on this and I just wanted to reach out one last time. Please do not allow this. You see at the first meeting Mr. Housel already tried to amend it to make the parking area bigger. Right now what he has planned is worse than a circus. Please put yourselves in our position, would you want this on top of your property let alone right next door. This month and a half to 2 months is way to much. I guarantee if this is aloud next year he will go bigger.

We did not move out here to have to put up with this. Thank you, Deborah Bowman

[Sent from Yahoo Mail on Android](#)

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Goodman/Housel Special Use permit

1 message

Cliff Wagner <pls4241@gmail.com>

Sun, Apr 25, 2021 at 4:48 PM

To: Justin Bruen <ceo@townofhopewell.org>, scotter@townofhopewell.org

Justin,

Unfortunately I can not attend Monday's planning board meeting due to a conflict with work. I offer the following comments of the new plans for the PB

Planning Board members,

I wish I could attend the planning board tonight, but I have a conflict with my work schedule. I wanted to respond to the new plan that Matt and Karl have proposed. I agree with them that this new plan is much improved, reducing noise impact on the neighbors and in particular my property. I want to thank them for taking the time to listen and come up with a new plan. I believe it is a good plan and helps alleviate noise from the neighbors. However, this does not resolve all the issues.

I continue to have reservations about the traffic, road congestion, etc. I previously outlined why I believe that this proposed use is not in keeping with the intent of the regulations, that the structures/use area are not being properly counted and why this use belongs in the more commercial corridors as designated in the town code. The key factor in determining how to apply the code to something unique like this is the traffic generated. This proposal creates major traffic. Thousands of people visit weekly. I also highlighted many other ways the plans were insufficient in my previous submission. Most of those concerns have not been addressed by the new plans.

The effect of the no parking zone the town has adopted will be that people who drive here will sit in their cars along the road until a parking spot opens up. This is not technically "parking" and they won't be able to be towed or told to leave, so we will continue to see cars sitting along our road, causing congestion in a 55 mph zone and dangerous conditions for neighbors trying to enter or exit their drives.

The only way this traffic could be sufficiently reduced would be a ticket system where you limit the number of tickets you give out per hour. This is successful at similar events such as Airlie Gardens which has a massive walkthrough Christmas lights display in a residential neighborhood in North Carolina. You sign up for a time and day online (this is how they do it, but it could be done manually too) and the site only allows you to select available time slots, this way you set the maximum tickets per hour (say 150) and once that 150 is gone, you then have to select a different time. The result is that traffic is spread out and the heavy volumes reduced significantly. This will reduce stacking on the road and also make the event easier to manage for the applicant as they can plan according to the ticketed guests.

I would ask that if you decide to approve this application, the board set a limit of the total number of cars allowed on the site at any one time (tied to the maximum approved parking) and that the applicants be required to create a ticket system similar to what I described. I'd also ask that the applicant be required to delineate the area used for exhibits, require that no expansion be allowed beyond the defined acreage and that this special use permit be reviewed next year so we can address any issues that arise this season. I think these are reasonable requests which will make this event safer, limit the neighborhood disturbance and allow the event to continue where it is. Otherwise, I would ask the board to deny the special use permit and ask the applicant to find a more suitable site for the Halloween park. Thank you for your time

Best Regards,
Cliff Wagner,
4047 County Road 4
Canandaigua, NY 14424
585-505-7280